

U.S. Application No. 09/863,044
Reply to Office Action dated February 10, 2006

PATENT
450100-03235

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-17, 19-44, and 46-54 are currently pending. Claims 1 and 28, which are independent, are hereby amended. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification as originally filed, and specifically at page 27, line 11 to page 28, line 25 with reference to Figure 5.

Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

Claims 1-17, 19-44, and 46-54 were rejected under 35 U.S.C. §112 (first paragraph) as allegedly not enabled by the Specification. Applicants respectfully submit that the present Amendment obviates the rejection.

U.S. Application No. 09/863,044
Reply to Office Action dated February 10, 2006

BEST AVAILABLE COPY PATENT
450100-03235

III. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-5, 7-17, 19-22, 26-32, 34-44, 46-49, and 53-54 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,801,713 to Yagawa et al. (hereinafter, merely "Yagawa") in view of JP 09-180292 to Nagano et al. (hereinafter, merely "Nagano").

Claims 6, 23-25, 33, and 50-52 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yagawa in view of Nagano and further in view of U.S. Patent No. 5,999,691 to Takagi et al. (hereinafter, merely "Takagi"). (Applicants respectfully assume that the Examiner meant to say 'claim 33' in place of 'claim 35'.)

Claim 1 recites, *inter alia*:

"virtual channel management means for assigning virtual channels to respective categories, and for setting said broadcasting programs, sorted into said categories, in sequential order on the assigned virtual channels;

... wherein time advances independently on each virtual channel even when the virtual channels are not being displayed."

(Emphasis added)

In other words, the present invention relates to recording broadcast programs on virtual channels in order to allow a casual viewer to watch a pre-recorded broadcast program passively and without an intention in mind ("channel surfing" of pre-recorded programs).

As understood by Applicants, Yagawa relates to a support method for helping the user find a desired program from a collection of recorded television programs.

As understood by Applicants, Takagi relates to a television receiver comprising a tuner; a data storage device for storing the video signal received by the tuner; a select circuit for

U.S. Application No. 09/863,044
Reply to Office Action dated February 10, 2006

BEST AVAILABLE COPY PATENT
450100-03235

selecting and outputting one of the reproduced video signals; and a control circuit for controlling the data storage device and the select circuit in response to an external input signal.

As understood by Applicants, Nagano relates to an apparatus and a method for controlling the recording of television programs. The apparatus displays electronic program guide information superposed on a television signal. The apparatus allows a plurality of desired programs to be reserved for recording based on the electronic program guide information. If any of the reserved programs overlap, the apparatus allows the starting time and/or ending time of any of the overlapped programs to be changed.

Applicants respectfully submit that nothing has been found in Yagawa, Takagi, or Nagano, taken alone or in combination, that would teach or suggest the above-quoted features of claim 1. Specifically, the cited references fail to teach or suggest virtual channel management means for setting said broadcasting programs, sorted into said categories, in sequential order on the assigned virtual channels, as recited in claim 1. That is, the present invention sorts and records several programs from a given category in a sequential order (namely, the same order in which the programs in that category are reproduced or broadcasted) on a virtual channel corresponding to that category. Applicants respectfully submit that Yagawa, the closest reference, does not record several programs from the same category in one virtual channel. Rather, Yagawa merely records a single program on a given "recording channel," as shown in Fig. 14 of Yagawa.

Additionally, the cited references fail to teach or suggest that time advances independently on each virtual channel even when the virtual channels are not being displayed, as recited in claim 1. That is, since time in the recorded programs on a given virtual channel is advancing even when another channel (virtual or broadcast) is being displayed, the virtual

U.S. Application No. 09/863,044
Reply to Office Action dated February 10, 2006

BEST AVAILABLE COPY

PATENT
450100-03235

channel functions identically to a broadcast channel from a user's point of view. Therefore, a user can "channel surf" a virtual channel in a similar manner to traditional "channel surfing" of a broadcast channel.

Therefore, Applicants respectfully submit that claim 1 is patentable.

Claim 28 is similar, or somewhat similar, in scope to claim 1, and is therefore patentable for similar, or somewhat similar, reasons.

III. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portion(s) of the reference(s) providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

U.S. Application No. 09/863,044
Reply to Office Action dated February 10, 2006

PATENT
450100-03235

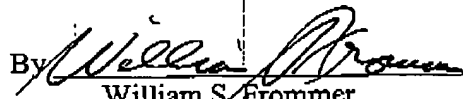
Applicants respectfully submit that all of the claims are in condition for allowance
and request early passage to issue of the present application.

BEST AVAILABLE COPY

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By



William S. Frommer
Reg. No. 25,506
(212) 588-0800